

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION

MDL No. 2804
Case No. 17-md-2804

THIS DOCUMENT RELATES TO:

*Saint Elizabeth Medical Center, Inc. d/b/a St.
Elizabeth Healthcare v. AmerisourceBergen Drug
Corp., et al.*; Case No. 18-op-46046

Judge Dan Aaron Polster

**PLAINTIFF SAINT ELIZABETH'S MOTION (1) TO VACATE JUNE 16, 2025 ORDER
AND (2) FOR CLARIFICATION OF MARCH 11, 2025 AND JUNE 16, 2025 ORDERS**

Plaintiff Saint Elizabeth Medical Center, Inc. d/b/a St. Elizabeth Healthcare ("St. Elizabeth")
respectfully moves:

- (1) Pursuant to Fed. R. Civ. P. 59, for an order vacating the Court's non-document Order entered June 16, 2025 (the "June 16 Order"); and
- (2) for an order of clarification of (a) the Court's "Case Management Order" [Dkt. No. 44 in 18-op-46046] (the "CMO") entered March 11, 2025, and (b) (to the extent not vacated) the Court's non-document order entered June 16, 2025. St. Elizabeth seeks an order clarifying that the CMO was intended to, and did, stay all claims not scheduled to be tried in the hospital bellwether trial.

A memorandum of law (the "Memorandum") is submitted herewith. Separate proposed orders (one for each element of relief sought) are submitted herewith. For the reasons stated in the Memorandum, St. Elizabeth respectfully prays that the Court (1) vacate the June 16, 2016 Order, and (2) enter an order clarifying that Plaintiff's RICO claims are severed and stayed

Dated: June 21, 2025

Respectfully Submitted,

/s/ Don Barrett
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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2025, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/ Don Barrett
John W. ("Don") Barrett